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ADDITIONAL VICTIM STATEMENT:

On 5/01/03 around 1615 hours, I contacted the Victim by phone to clarify some of the sex acts that occurred. In past interviews the Victim has had difficulty in recalling specific sex acts due to the extreme emotional stress recalling these events puts on her. The Victim said that she has been actively seeing a therapist for about a year regarding the rape and that she has difficulty recalling certain events, dates and times, because it is too painful for her to remember.

The Victim said that she orally copulated the Suspect several times, but that she does not remember if the Suspect orally copulated her. The Victim said that the Suspect would digitally penetrate her vagina with his fingers. This is in addition to numerous occurrences of rape and sodomy.

I asked the Victim to describe one of the incidents when he forced her to orally copulate him. The Victim said that it occurred at his apartment in San Jose and that his fiancée was there. The Victim said that the Suspect came out late at night to the couch in the living room where she was sleeping. The Victim said the Suspect grabbed her and put his hand over her mouth. Again the Victim began to emotional, taking deep breaths and began to cry. The Victim said that the Suspect would tell her to shut up and be quiet or he would kill her. The Victim said that she did not think the oral copulation lasted long but said it felt like forever because she hated it so much.

The Victim went on to describe another incident where the Suspect grabbed her by the hair and forced her to orally copulate the Suspect. The Victim was sobbing and crying and said

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| OFFICER'S NAME/BADGE | -20- | PROP.115 QUALIFIED? YES |
| J. HERR #3149 | | |